

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR
SESSION MEETING HELD OCTOBER 22, 2012, BEGINNING AT 9:00 A.M. IN
CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

Present

Commissioner Ron Winterton acting as Chairman Pro Tem, Commissioner Kent R. Peatross, Deputy County Attorney Marea A. Doherty, Public Works Director Glen Murphy, USU Extension Director Troy Cooper, Livestock Committee President A.C. Rust, Jeannie Hodgekiss with the United Way, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Absent

Commission Chairman Kirk J. Wood.

Public Works/Landfill Department Update

Director Murphy reported that the Road Department is getting the Duchesne Salt Shed ready for pavement. Nielson Construction will pave it and tie the pavement into Duchesne City's Water shed also. He also has a crew hauling salt from Redmond and hauling sand to mix it with from Roosevelt to Myton. The striping of the roads should begin tomorrow.

Commissioner Winterton stated that he had a request to double stripe the North Cove Road because there are so many subdivisions and intersections off of that road that people shouldn't be allowed to pass. Director Murphy stated that they will begin striping in Pleasant Valley, but he will look into double striping the North Cove Road.

Director Murphy reported that the inmate crews working with Joe Summarell and Ralph Stansfield finished the snow fence in Tabiona.

Director Murphy also reported that there is a meeting regarding the Dye Dugway on Wednesday October 24, 2012 at 7:00 p.m. at the Neola Elementary School with the Transportation Special Service District (#2). They will have a price on repairing the dugway. He thinks that there will be a big turnout and suggested that an attorney from Duchesne County be present to discuss the liability issues. Commissioner Winterton stated that our plan was to build a new road to the west of the dugway, but there was a landowner who didn't want the new road, so we closed the dugway due to the liability risk. Commissioner Peatross suggested that they contact Jones & DeMille Engineering prior to the meeting.

Discussion Of The Duchesne County Livestock Show

Mr. Cooper stated that at a Livestock Committee meeting a few weeks ago, it was questioned why we have Uintah County at our Duchesne County Livestock Show. We feel that since it's a Duchesne County Fair, it's up to the commission on how the fair is run. Fewer than twenty percent (20%) of the kids come from Uintah County and the amounts of animals have fluctuated since 2010, but there is no way of calculating how much money is brought in from them. You have several different companies that are on both sides of the county line. He is concerned about the kids that attend school in Duchesne County that live in Uintah County. Commissioner Winterton stated that he is not in favor of eliminating the kids that live in Uintah County, but attend FFA and 4H programs within Duchesne County's School District. Commissioner Peatross suggested asking the companies how it would affect them to not have Uintah County be a part of the show. Ever since he has been a commissioner, they have worked hard at establishing a good working relationship with Uintah County, unifying the counties and erasing any boundary lines. We have so many issues that are the same. He hesitates to draw lines and has concerns with establishing boundaries, he would rather not, but if it's shorting our kids, we need too. He would like to make sure we have everything on the table, before we make a stand. Mr. Rust stated that this question was asked by one of our largest buyers at

the livestock show. We are trying to eliminate a problem before it begins. Our buyers have been wonderful but they feel they have been put in a bad situation. We are the only county that allows another county in the Livestock Show. Commissioner Peatross stated that there are few of the larger buyers that don't support both counties. Get the vendors together and get an overall picture of how they feel. We are building the fair around this show, because without question, this is the main event. There could be indirect repercussions. Mr. Cooper stated that you have to look at how this would affect the whole fair, not just one part; we need to look at the aspect of all of it. After they speak to the buyers and discuss the overall picture, he will come back to the commission with a proposal.

Discussion Of A Building Permit Program

Building Official Karl Mott joined the meeting at 9:47 A.M...

Official Mott stated that during the budget hearing, he proposed the possibility of getting an internet based permit program to be able to be more web oriented and do a better job of keeping track of records. If we pay the initial set up cost of five hundred dollars (\$500), we will get November and December free to make sure we can implement it to make it work. If so, we will have an annual cost of one thousand nine hundred ninety two dollars (\$1,992). The possibility of the cost going up is very slim; they haven't raised the cost since they started. The public will be able to go online to apply for permits and this will give a method of real time inspection reports. We will be able to enter the information in while we are in the field. Commissioner Peatross recommended that the coordination of the implementation of the program go through the IS Department. He feels that this is a great concept, but the IS Department does need to be involved. Official Mott stated that he has enough money in his budget to pay for the initial start up cost. There will be enough money in his budget for next year to pay for the annual fee. Commissioner Peatross and Commissioner Winterton both agreed that this sounds like a good program.

Discussion Of Tax Abatements

Deputy Clerk Auditor JoAnn Evans and Angelina Quintana joined the meeting at 9:55A.M...

Deputy Clerk Evans stated that Ms. Quintana filed a circuit breaker, but it was past the deadline of September 1, 2012 that was established by the State of Utah. She owes four hundred thirty four dollars (\$434). She has a home in Price also, so we need to verify that she didn't already get a tax break on that house, because you can only have one in the State of Utah. Commissioner Peatross stated that he is in favor of allowing the late application if the State of Utah is willing to work with her. Commissioner Winterton stated that they will leave it up to Deputy Clerk Evans to contact the State.

Mr. Danny Randall joined the meeting at 10:00 A.M...

Mr. Randall stated that he is a 100% disabled Veteran and isn't required to pay taxes because he is exempt. He was told by Ruthanne Jefferies from the Utah State Tax Commission Property Tax Division that he doesn't need to re-file every year if the information remains the same. He is not opposed to filling out the document; he just didn't receive it this year. He went through this with Deputy Clerk Evans last year, and thought it was all worked out. Deputy Clerk Evans stated that we require that the form be filled out every year so we can keep track of people and to make sure that they are alive so that someone else doesn't get their benefit. Commissioner Peatross suggested that we request legal counsel to interpret the law and give us the direction on what to do. He also suggested that the taxes be adjusted accordingly.

Review And Potentially Award Bids For Emergency Watershed Protection Rock Quarry And Debris Removal

Emergency Management Director Mike Lefler & Ryan Jolley with Jones & DeMille Engineering joined the meeting at 10:10 A.M...

Mr. Jolley presented the commission with the attached tabulation of bids for both the rock quarry and debris removal and stated that lowest bidder for the rock quarry is Feller Enterprises, LLC out of St. George. They have mined a lot of the rock for the riprap in the St. George area, so they do have experience. We don't have any concerns with them; we have worked with them before and recommended to award the bid to them. We also

received the easement documents from EP Energy to cross their land to access the quarry site. *Commissioner Peatross motioned to award the bid for the rock quarry to Feller Enterprises, LLC of St. George in the amount of one million two hundred eighty one thousand eight hundred fifty five dollars (\$1,281,255). Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

Mr. Jolley stated that the debris removal portion of the project is complicated. The apparent low bidder is Leon & Sons Excavating who is the only local bidder, but they didn't include their bid bond which was a requirement. The second lowest bidder was Dennis Lierd from Lehi, who turned in their bid seven (7) minutes late. Commissioner Peatross stated that we like to give local preference and doesn't have a problem if Leon & Sons is contacted to see if they do have a bond, but didn't include it in their bid. Attorney Doherty stated that if the contractor secured the bid bond prior to the closing of the bid, then it might warrant waiver. Commissioner Winterton suggested that Mr. Jolley contact Leon & Sons to see if they do have the bid bond and then come back. Attorney Doherty stated that we need documentation from them.

Discussion Of A Fire Bill

Cherry Dawson joined the meeting at 10:34 A.M...

Mrs. Dawson stated that she and her husband were burning grass in a pasture and her neighbor asked her to contact the fire department so she did. By the time the fire department arrived, the fire was out. She felt that it was excessive and unnecessary for them to stay as long as they did, when it was completely out already. She would have asked them to leave if she knew that they charge by the minute. Commissioner Winterton stated that these bills are to recoup the costs for the volunteer firefighters. Director Lefler stated that we have had situations where we have had the fire fighters turn around, but there is a point where if we don't need everyone, we can release some of the trucks. The water tender was dispatched because there aren't fire hydrants in her area. Commissioner Peatross stated that it appears that everyone was dispatched appropriately; the only issue is that once they arrived and there wasn't a fire we need to ask if there were hot spots and why they stayed. They did get called out, so there is that expense, we may need to split the expense. Commissioner Winterton suggested that Director Lefler discuss this at the next Chief's Meeting and the possibility of splitting the bill and rebill her once it's resolved.

Consideration of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 10:55 A.M...

The commission reviewed vouchers #123165 through 123217 dated October 22, 2012, in the amount of one hundred sixty three thousand four hundred eleven dollars and seventy nine cents (\$163,411.79). The commission also reviewed vouchers #123218 through 123219 dated October 23, 2012, in the amount of seventy six thousand six hundred dollars (\$76,600.00) as presented by Deputy Clerk Sweat. *Commissioner Peatross motioned to approve the vouchers as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.*

Tax Adjustment –Assessor

Commissioner Peatross motioned to approve the Tax Adjustments as recommended by the Assessor's Office. Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.

Discussion Of Tax Abatements

Calvin Nelson joined the meeting at 11:01 A.M...

Deputy Clerk Sweat stated that Mr. Nelson was late getting his abatement application in. Commissioner Peatross stated that if the State of Utah allows for this, he is okay with it. The State of Utah sets the deadlines, not us.

Consideration Of Minutes For Special Commission Meeting Held October 09, 2012

Commissioner Peatross motioned to approve the minutes with the necessary corrections. Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.

Consideration Of Minutes For Combined Commission Meeting Held October 15, 2012

Assistant Casper stated that per Chief Deputy Clerk Auditor JoAnn Evans, these minutes are not ready for approval at this time.

Consideration Of Minutes For Special Commission Meeting Held October 16, 2012

Commissioner Peatross motioned to approve the minutes with the necessary corrections. Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.

-Entered recess at 11:07 A.M...

-Reconvened Combined Commission Meeting at 11:44 A.M...

Continuation Of Review And Potentially Award Bids For Emergency Watershed Protection Rock Quarry And Debris Removal

Attorney Stephen Foote joined the meeting at 11:44 A.M... Mr. Ryan Jolley with Jones & DeMille reentered the meeting at 10:44 A.M...

Mr. Jolley stated that after further review, Leon & Sons did not turn in the required bid bond. Bidder #2 was seven (7) minutes late and other bids were already being opened. His recommendation is to go with bidder #3 Vancon, who had all required documents. Commissioner Peatross motioned to award the bid for debris removal to Vancon from Springville in the amount of eighty nine thousand dollars (\$89,000). Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.

Closed Meeting -

Commissioner Peatross motioned to go into and out of closed session for the purpose of discussing personnel issues at 11:49 A.M. Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.

Reentered Combined Commission Meeting at 12:49 P.M.

Commissioner Peatross stated that he received a phone call before the closed session concerning the bid information on the debris removal. Commissioner Peatross motioned to enter into recess until we verify the information received. Commissioner Winterton seconded the motion. Both commissioners voted aye and the motion passed.

-Entered recess at 12:50 P.M...

-Reconvened Combined Commission Meeting on Tuesday October 23, 2012 at 1:50 P.M...

Present

Commissioner Ron Winterton acting as Chairman Pro Tem, Commissioner Kent R. Peatross, Deputy County Attorney Marea A. Doherty, and Chief Deputy Clerk JoAnn Evans taking minutes of the meeting.

Commissioner Winterton stated that after further review of the information received yesterday for debris removal, it does not satisfy the commission. Therefore, there will not be any changes. The bid will remain awarded to Vancon from Springville.

Commission Calendaring

Adjourn

Commissioner Winterton adjourned the meeting at 1:53 P.M...

Read and approved this 29th day of October 2012.

Kirk J. Wood
Commission Chairman

Diane Freston
Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*_____